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FILED

BEFORE THE  
ADMINISTRATIVE HEARING COMMISSION  
STATE OF MISSOURI

AUG 07 1995

ADMINISTRATIVE HEARING  
COMMISSION

RECEIVED

AUG 03 1995

STATE  
COMMITTEE OF  
PSYCHOLOGISTS

STATE COMMITTEE OF PSYCHOLOGISTS,  
3605 Missouri Boulevard  
Jefferson City, MO 65102,

Petitioner,

v.

SANDRA RADOM, Ph.D.,  
9313 Alhambra  
Prairie Village, KS 66207,

Respondent.

No.

RECEIVED

AUG 10 1995

STATE COMMITTEE  
OF PSYCHOLOGISTS

JOINT STIPULATION OF FACTS, WAIVER OF HEARING  
BEFORE THE ADMINISTRATIVE HEARING COMMISSION AND  
STATE COMMITTEE OF PSYCHOLOGISTS AND CONSENT ORDER  
WITH JOINT PROPOSED FINDINGS OF FACT AND CONCLUSIONS OF LAW

Pursuant to the rules governing practice and procedure before the Administrative Hearing Commission (1 CSR 15-2.450(1)) and pursuant to the terms of § 536.060, RSMo 1994, as it is made applicable to the Administrative Hearing Commission by § 621.135, RSMo 1994, the parties waive the right to a hearing of the above-styled case by the Administrative Hearing Commission of the State of Missouri and, additionally, the right to a disciplinary hearing before the State Committee of Psychologists under § 621.135, RSMo 1994, and jointly stipulate to the facts and consent to the imposition of disciplinary action against the psychologists license of Respondent for violations of statutes set forth below.

Respondent acknowledges that she has received and reviewed a copy of the Complaint filed by the State Committee of Psychologists in this case and the parties submit to the jurisdiction of the Administrative Hearing Commission.

The Respondent acknowledges that she is aware of the various rights and privileges afforded her by law, including the right to appear and be represented by counsel; the right to have a copy of the complaint served upon her by the Administrative Hearing Commission prior to the entering of its order; the right to have all charges against Respondent proven upon the record by competent and substantial evidence; the right to cross-examine any witness appearing at the hearing against Respondent; the right to present evidence on Respondent's own behalf at the hearing; the right to a decision upon the record of the hearing by a fair and impartial administrative hearing commissioner concerning the complaint pending against Respondent; and the right to a ruling on questions of law by an administrative hearing commissioner. Being aware of these rights provided the Respondent by operation of law, the Respondent, Sandra Radom, knowingly and voluntarily waives each and every one of these rights and freely enters into this Joint Stipulation of Facts, Waiver of Hearing Before the Administrative Hearing Commission and State Committee of Psychologists and Consent Order with Joint Proposed Findings of Fact and Conclusions of Law and agrees to abide by the terms of this document as they pertain to Respondent.

I

Based upon the foregoing, the Petitioner and the Respondent jointly stipulate to the following and request that the Administrative Hearing Commission adopt as its own the Joint Proposed Findings of Fact and the Joint Proposed Conclusions of Law as the Administrative Hearing Commission's Findings of Fact and Conclusions of Law:

JOINT PROPOSED FINDINGS OF FACT

1. The State Committee of Psychologists (the "Committee") is an agency of the state of Missouri created and established pursuant to § 337.050, RSMo 1994, for the purpose of executing and enforcing the provisions of Chapter 337, RSMo.

2. Sandra Radom (the "Respondent") is licensed by the Committee as a psychologist, License No. PY01130. The Respondent's Missouri license is current and active.

3. From January 26, 1989 until at least August 13, 1992, Respondent treated Patient C.C. for various conditions, including stress associated with Patient C.C.'s business and financial problems.

4. During the course of therapy, in or about July 1990, Respondent recommended that Patient C.C. employ Respondent's son with Patient C.C.'s company. Respondent's son was hired by Patient C.C. based upon Respondent's recommendation.

5. During the course of therapy, in or about 1991, Respondent referred Patient R.R. to Patient C.C. for employment with Patient C.C.'s company. Patient R.R. was hired based upon Respondent's recommendation.

6. During the course of therapy, in or about 1992, Respondent referred Patient S.B. to Patient C.C. for employment with Patient C.C.'s company. Patient S.B. was hired based upon Respondent's recommendation.

7. During the course of therapy, in or about 1992, Respondent engaged in a business relationship with Patient C.C. Respondent employed Patient C.C.'s company to provide collection services for Respondent's overdue accounts, with a portion of the collected funds being retained by Patient C.C.'s company and the remainder returned to Respondent.

8. During the course of therapy Patient C.C. discussed the financial difficulties of her company with Respondent.

9. On or about March 1, 1993, with knowledge of Patient C.C.'s financial situation and her recent health problems, Respondent contacted Patient C.C. and expressed an interest in purchasing Patient C.C.'s company.

10. Subsequent to March 1, 1993, Respondent's son and Patient S.B. resigned employment with Patient C.C.'s company, developed a new company, and began competing with Patient C.C.'s company.

11. Respondent mishandled the therapeutic boundary with Patient C.C. and engaged in an unprofessional dual relationship with patient C.C.

12. Respondent's actions compromised the effectiveness of therapeutic intervention.

## II

### JOINT PROPOSED CONCLUSIONS OF LAW

13. Cause exists for discipline against Respondent's psychologist license pursuant to § 337.035.2, RSMo Supp. 1989, 1990 and 1991, which provide:

2. The committee may cause a complaint to be filed with the administrative hearing commission as provided by chapter 621, RSMo, against any holder of any certificate of registration or authority, permit or license required by this chapter or any person who has failed to renew or has surrendered his certificate of registration or authority, permit or license for any one or any combination of the following causes;

....

(5) . . . misconduct . . . in the performance of the functions or duties of any profession licensed or regulated by this chapter;

(6) Violation of, or assisting or enabling any person to violate, any provision of this chapter, or of any lawful rule or regulation adopted pursuant to this chapter;

....

(13) Violation of any professional trust or confidence;

....

(15) Being guilty of unethical conduct as defined in 'Ethical Rules of Conduct' as adopted by the committee and filed with the secretary of state.

14. 4 CSR 235-5.030(1)(A)(B)(C) and (D) provide:

(1) General Principles.

(A) Purpose. The ethical rules of conduct constitute the standards against which the required professional conduct of a psychologist is measured.

(B) Scope. The psychologist shall be governed by these ethical rules of conduct whenever providing psychological services in any context. These ethical rules of conduct shall apply to the conduct of all licensees and applicants, including the applicant's conduct during the period of education, training and employment which is required for licensure. The term psychologist, as used within these ethical rules of conduct, shall be interpreted accordingly whenever psychological services are being provided in any context.

(C) Responsibility for Own Actions. The psychologist, when functioning as a licensed psychologist, shall be fully responsible for his/her own professional decisions and professional actions.

(D) Violations. A violation of these ethical rules of conduct constitutes unprofessional conduct and is sufficient reason for disciplinary action or denial of either original licensure, reinstatement or renewal of licensure.

15. Respondent's conduct as set forth herein violates 4 CSR 235-5.030(4)(B)

which provides:

(4) Impaired Objectivity and Dual Relationships.

(B) Dual Relationship Affecting Psychologist's Judgment. The psychologist shall not undertake or continue a professional relationship with a client when the objectivity or competency of the psychologist is or could reasonably be expected to be impaired because of the psychologist's present or previous familial, social, sexual, emotional, financial, supervisory, political, administrative or legal relationship with the client or a relevant person associated with or related to the client. If that dual relationship develops or is discovered after

the professional relationship has been initiated, the psychologist shall terminate the professional relationship in an appropriate manner, shall notify the client in writing of this termination and shall assist the client in obtaining services from another professional.

16. Respondent's conduct as set forth herein violates 4 CSR 235-5.030(4)(C)2

which provides:

(4) Impaired Objectivity and Dual Relationships.

(C) Prohibited Dual Relationship.

2. The psychologist, in interacting with any current client or with a client to whom the psychologist has at anytime within the previous twenty-four (24) months rendered counseling, psychotherapeutic or other professional psychological services for the treatment or amelioration of emotional distress or behavioral inadequacy, shall not enter into a financial or other potentially exploitative relationship with him/her/them.

17. Respondent's conduct as set forth herein violates the following ethical standards for psychologists in full force and effect at the time of the actions set forth herein:

A. 4 CSR 235-5.020(2)(F), which provides:

(2) Responsibility. In providing services, psychologists maintain the highest standards of their profession. They accept responsibility for the consequences of their acts and make every effort to ensure that their services are used appropriately.

.....

(F) As practitioners, psychologists know that they bear a heavy social responsibility because their recommendations and professional actions may alter the lives of others. They are alert to personal, social, organizational, financial or political situations and pressures that might lead to misuse of their influence.

B. 4 CSR 235-5.020(4)(D), which provides:

(4) Moral and Legal Standards. Psychologists' moral and ethical standards of behavior are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities or reduce the public trust in psychology and psychologists. Regarding their own behavior, psychologists are sensitive to prevailing community standards and to the possible impact that conformity to or deviation from these standards may have upon the quality of their performance as psychologists. Psychologists are also aware of the possible impact of their public behavior upon the ability of colleagues to perform their professional duties.

.....

(D) As practitioners and researchers, psychologists act in accord with these standards and guidelines related to practice .....

C. 4 CSR 235-5.020(7)(A), which provides:

(A) Psychologists are continually cognizant of their own needs and of their potentially influential position vis-a-vis persons such as clients, students and subordinates. They avoid exploiting the trust and dependency of such persons. Psychologists make every effort to avoid dual relationships that could impair their professional judgement or increase the risk of exploitation. Examples of such dual relationships include, but are not limited to, research with and treatment of



employees, students, supervisees, close friends or relatives .

18. Cause exists for Petitioner to take disciplinary action against the psychologist's license of Respondent pursuant to § 337.035.2(5), (6), (13) and (15) RSMo Supp. 1989, 1990, and 1991.

### III

#### DISCIPLINARY ORDER

In light of the foregoing stipulation of facts, Respondent and the Committee hereby consent and agree to the following disciplinary action to be imposed against License No. PY01130 effective the date the Administrative Hearing Commission enters its order.

1. By agreement of the parties, License No. PY01130 of Sandra Radom, Ph.D., is placed on probation for a period of three (3) years under the following terms and conditions:

A. Licensee must complete a professional education course on the topic of professional ethics approved by the State Committee of Psychologists. Such course must be taken in a doctoral level program in the department of psychology from a regionally accredited university for graduate credit of no less than three (3) semester hours. The Licensee must obtain a grade of B or higher in the course. Readings courses, correspondence courses or independent study courses are unacceptable.

B. During the probationary period, Respondent shall inform Respondent's employers and all hospitals, institutions, and managed health care organizations with which Respondent is affiliated, that Respondent's work as a professional psychologist is under probation by the State Committee of Psychologists.

C. During the probationary period, Respondent's practice as a professional psychologist shall be supervised bi-monthly by a psychologist approved by the State Committee of Psychologists. The supervision shall include a list of readings to be assigned by the supervising psychologist. If Respondent has failed to secure a supervisor within twenty (20) days from the effective date of probation, the Respondent shall cease practicing psychology until a supervisor is secured. Supervision includes full order and control of Respondent's practice of professional psychology by the supervising psychologist. Respondent shall be responsible for any payment associated with the supervision. Supervision includes, but is not limited to, weekly onsite face-to-face review of cases.

In the event the supervising psychologist becomes unable or decides not to continue serving in his/her capacity as a supervising psychologist or otherwise ceases to serve as a supervising psychologist during the period of probation, then, the Respondent shall:

- a) within three (3) business days of being notified of the supervising psychologist's inability or decision not to continue serving as the

supervising psychologist, advise the State Committee of Psychologists in writing that he/she is needing to secure a supervising psychologist and the reasons for such change; and

b) within twenty (20) days of being notified of the supervising psychologist's inability or decision not to continue serving as the supervising psychologist, or otherwise learning of the need to secure a supervising psychologist, secure a supervising psychologist pursuant to and in accordance with the terms and conditions set forth in this Order. After twenty (20) days, the Respondent shall not practice if he or she has not secured a supervisor.

D. Respondent's supervisor must report every three (3) months on Respondent's compliance with this Order. It is Respondent's responsibility to ensure that these reports are provided in a timely manner.

E. The supervising psychologist shall be vested with administrative authority over all matters affecting the provision of psychological health services provided by Respondent so that the ultimate responsibility for the welfare of every patient is maintained by the supervising psychologist.

F. Respondent may not serve as a supervisor for any psychological trainee, psychological intern, psychological resident, psychological assistant, or any person undergoing supervision during the course of obtaining licensure as a psychologist, professional counselor, or social worker.

G. Respondent must keep the State Committee of Psychologists apprised at all times, in writing, of Respondent's current home and work addresses and telephone numbers.

H. Respondent is required to pay to the State Committee of Psychologists, in a timely fashion, all requisite fees required by law to renew and keep current Respondent's psychology license in Missouri.

I. Respondent is required to comply with all provisions of Chapter 337, RSMo, the rules and regulations duly promulgated by the State Committee of Psychologists and state and federal criminal laws.

J. Respondent must provide periodic reports of Respondent's compliance with this Order every three (3) months.

K. At Respondent's expense, Respondent must agree to meet with the State Committee of Psychologists at reasonable intervals designated by the Committee.

2. Upon the expiration of the disciplinary period, the Respondent's license as a psychologist in Missouri shall be fully restored, provided all provisions of this Order and all other requirements of law have been satisfied.

3. If the State Committee of Psychologists determines that the Respondent has violated a term or condition of her discipline, or has otherwise failed to comply with the provision of Chapter 337 RSMo, which violation would be actionable in a proceeding before the State Committee of Psychologists or the Administrative Hearing Commission

or a circuit court, the State Committee of Psychologists may elect to pursue any lawful remedies or procedures afforded to it, and is not bound by this order in the selection of remedies concerning such violation.

4. The parties to this Stipulation understand that the State Committee of Psychologists will maintain this Stipulation as an open record of the Committee as provided in Chapters 337, 610, and 620 RSMo.

RESPONDENT

STATE COMMITTEE OF  
PSYCHOLOGISTS

Sandra Radom 7/30/95  
Sandra Radom, Ph.D. date  
Respondent

Mildred D. Robertson 8/3/95  
Mildred Robertson date  
Executive Director

Penney R. Rector 8/4/95  
Penney R. Rector date  
Assistant Attorney General